

In the District Court of the United States  
For the District of South Carolina  
BEAUFORT DIVISION

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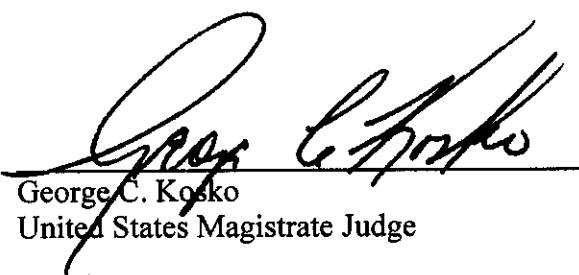
|   |   |                                    |
|---|---|------------------------------------|
| Dennis McCrea,                            | ) |                                    |
|   | ) | Civil Action No. 9:05-0945-TLW-GCK |
| Plaintiff,                                | ) |                                    |
|   | ) |                                    |
| vs.                                       | ) | <b><u>O R D E R</u></b>            |
|   | ) |                                    |
| Tom Fox, Director of Horry County         | ) |                                    |
| Detention Center and Phillip E. Thompson, | ) |                                    |
|   | ) |                                    |
| Defendants.                               | ) |                                    |
|   | ) |                                    |

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. On May 4, 2005, the defendants filed a motion to dismiss. By order of this court filed May 12, 2005, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Despite this explanation, the plaintiff elected not to respond to the motion.

As the plaintiff has failed to respond to the motion to dismiss, it appears to the court that he wishes to abandon this action. Therefore,

IT IS ORDERED that the plaintiff shall have a period of twenty (20) days from the date of this order in which to file his response to the motion to dismiss. The plaintiff is advised that if he fails to respond, this action will be dismissed for failure to prosecute. *Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978).

IT IS SO ORDERED.



George C. Kosko  
United States Magistrate Judge

June 20, 2005  
Charleston, South Carolina